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March 30, 2022

BY ECF

The Honorable Ronnie Abrams  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York, 10007

Re: *United States v. Earl Ingarfield*, 20 Cr. 146 (RA)  
Letter Motion to Modify Conditions of Release

Dear Judge Abrams,

Mr. Ingarfield's bail conditions shall be modified such that he shall be permitted to travel within the United States if and when he gets the advance approval of his Pretrial Services Officer prior to each trip.

SO ORDERED.



Ronnie Abrams, U.S.D.J.  
March 30, 2022

I write on behalf of Defendant Earl Ingarfield to request that the conditions of his release (Dkt 15) be modified so that Mr. Ingarfield be permitted to travel within the continental United States. The undersigned counsel has communicated with Nevada Pretrial Services Officer Mariah Bassler-Wide, the officer that supervises Mr. Ingarfield in Las Vegas, and she has no objection to this request. Officer Bassler-Wide however noted that the Pretrial Services office in New York would have to advise the Court of the official position being taken as to this request, because Mr. Ingarfield is on courtesy supervision in Nevada. Accordingly, the undersigned counsel communicated with officer Laura Gialanella from Pretrial Services in the Southern District of New York who advised that she does not have objection to this request.

The undersigned counsel has communicated with Assistant United States Attorney Emily Deininger who objects to this request.

**A. Procedural History:**

A sealed Indictment was filed in this case on February 20, 2020. (Dkt 2). Mr. Ingarfield was not arrested until June 14, 2021, nearly sixteen months after being Indicted. The allegations in the Indictment date back to March of 2014. (Dkt 2). Mr. Ingarfield has no prior criminal history.

Mr. Ingarfield appeared before the Honorable Magistrate Judge Daniel J. Albregts and was released on an unsecured bond. Mr. Ingarfield was placed on supervision with United States Pretrial Services, was required to surrender his passport, and had his travel limited to Nevada, Arizona, and the Southern District of New York. On July 21, 2021, this Honorable Court adopted the same conditions of release. (Dkt 15). Mr. Ingarfield has complied with those conditions since his release nine months ago.

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Mr. Ingarfield now requests the ability to travel within the continental United States as the travel restriction is impacting his ability to engage in business transactions (i.e. not being able to meet with people in other jurisdictions now that the Covid-19 restrictions have loosened and in-person meetings are taking place).

Given the age of the allegations in this case, the lack of criminal history, and Mr. Ingarfield's exemplary background, it is respectfully submitted that the continued travel restriction provides a greater restriction on Mr. Ingarfield's liberty than is necessary under the Bail Reform Act.

**B. Statement of the Law:**

Under 18 U.S.C. §3142(b) the Court shall order the pretrial release of a defendant, on personal recognizance, or upon execution of an unsecured appearance bond in an amount specified by the court. If those conditions do not alleviate any concerns over appearance or danger, then the court shall order the pretrial release of the person "subject to the least restrictive further condition, or combination of conditions" necessary to meet the requirements of the Act. 18 U.S.C. § 3142(c)(1)(B).

It is respectfully submitted that Mr. Ingarfield should be permitted to travel within the continental United States, and the fact that he surrendered his passport and cannot leave the Country are sufficient to alleviate any concerns related to non-appearance.

**C. Conclusion:**

For the foregoing reasons, it is respectfully requested that the Bail Disposition in Document Number 15 be modified so that Mr. Ingarfield's travel is restricted to any location within the continental United States.

Respectfully Submitted:

CHESNOFF & SCHONFELD

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